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EXAMINER
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WASHBURN, DANIEL C

ART UNIT	PAPER NUMBER
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2672

DATE MAILED: 10/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/045,259

Applicant(s)

CHERNOW ET AL.

Examiner

Dan Washburn

Art Unit

2672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 10 January 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) \*
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 10 January 2002.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Information Disclosure Statement***

The information disclosure statement filed on January 10, 2002 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered.

### ***Specification***

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

The disclosure is objected to because of the following informalities:

Page 10 line 4: the sentence contains a typo, it reads, "Otherwise, in step 503 it is determined of the input flag..." It should read, "Otherwise, in step 503 it is determined if the input flag..."

Page 11 line 2: the sentence contains the words, "the corresponding" twice in a row. It reads "event ID value received in step 505, the corresponding the corresponding graphic rendering block..." The second "the corresponding" should be removed.

Appropriate correction is required.

### ***Claim Objections***

It should be noted that claims 5 and 26 are almost identically worded and one of the two claims should either be canceled or amended so the claimed information isn't needlessly repeated.

Claims 28 and 30 are objected to because of the following informalities:

Line 3 of claim 28: the line contains a typo, "leas a first one and a second one..."

It should read, "least a first one and a second one..."

The preamble of claim 30 is objected to because it is unclear. The body of the claim is claiming functionality that cannot be accomplished by a data structure. The term data structure is misleading. One alternative would be to describe a computer program product embodied in a tangible, machine-readable medium, executed by a computer program, with the computer program comprising the details found in the body of the claim.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-6, 9-14, 17-22, and 25-32 are rejected under 35 U.S.C. 102(e) as being anticipated by Cook et al. (US 6,178,432).

Concerning claims 1, 9, 17, and 30, Cook describes a method, computer program product embodied in a machine-readable medium, and system comprising: a memory unit operable for associating graphical images displayed on a web page with client side events; and a processor coupled to said memory unit, wherein said processor, responsive to said computer program, comprises: circuitry operable for providing graphical image information including control information and rendering information, said control information for controlling a display of said rendering information, wherein said control information comprises an image identifier value; circuitry operable for receiving an event identifier value in response to a client initiated action; and displaying said rendering information in response to said event identifier value matching said image identifier value in said control information, wherein said

rendering information represents at least one graphical image comprising differential information for generating a composite image. For example, Cook describes Figure 2B as a hardware setup used in one embodiment of his invention. He describes computer 250 as including processing unit 252 and storage, or memory, unit 256 column 6 lines 47-53. Stored within the memory unit is module 208, which creates a webpage that is capable of associating displayed graphical images with client side events column 4 lines 44-66. The client side event has associated control information that controls what is rendered on the screen and where it is rendered column 10 lines 35-49. In this particular case the position of the mouse cursor during a client side event determines the control information sent to memory to decide which image or images are to be presented. The associated Java applet looks up all objects with the associated mouse position and determines what action, if any, to take on each object. Figures 1A and 1B offer a visual depiction of the method described. Figure 1A is the original presentation of a webpage, and Figure 1B is the composite image that results from a user clicking on various objects on the screen. All tasks are completed without refreshing the page column 4 lines 53-67 and column 5 lines 1-11.

With regard to claims 2, 10, 18, and 31, Cook includes a method, computer program, and system wherein the graphical image information includes control information and corresponding rendering information representing a plurality of graphical images, wherein the processor further comprises: circuitry for initially displaying a first graphical image of the plurality of graphical images. For example, Cook offers Figure 1A as a webpage in its initial state before the user has activated the

interactive features column 4 lines 41-46. Figure 1B illustrates the same webpage after the multimedia features have become active and the user has triggered some of the interactivity by moving a mouse cursor over a designated area or by manipulating the mouse button while the cursor is over a designated area column 4 lines 46-52. The position of the mouse cursor is the control information that controls which image of the plurality of graphical images is to be displayed on the webpage, thereby creating a composite image.

As to claims 3, 11, 19, and 28, Cook describes a method, computer program, and system wherein the rendering information for the circuitry operable for displaying the rendering information comprises rendering information representing a second graphical image of the plurality of graphical images and wherein the first and second graphical images generate a composite image. For example, Cook describes picture 110, of Figure 1B, as an image that appears on the screen in a designated location. He also describes that if the designated space is occupied then picture 110 will partially or wholly obscure the underlying picture, therefore creating a composite image that consists of the original webpage, as illustrated in Figure 1A, combined with picture 110, as illustrated in Figure 1B column 4 lines 53-62.

Regarding claims 4, 12, 20, and 29, Cook discloses a method, computer program, and system wherein the first and second graphical images respectively represent first and second states of a control element in one or more web pages. For example, Cook offers buttons 104 and 106 of Figures 1A and 1B as control elements. Figure 1A shows the two control elements in their initial states. Cook describes that a

user clicking and dragging on button 104 will move button 104 and cause it to change colors and start flashing. Likewise, a user clicking on button 106 causes a series of lines to be displayed around the button column 4 lines 66-67 and column 5 lines 1-3. The changes described in buttons 104 and 106 represent first and second states of a control element in a webpage.

Concerning claims 5, 13, 21, and 26, Cook describes a method, computer program embodied in a machine-readable medium, and a system comprising: a memory unit operable for storing a computer program operable for associating graphical images displayed on a web page with client side events; and a processor coupled to said memory unit, wherein said processor, responsive to said computer program, comprises: circuitry operable for receiving a value for an event parameter associated with a graphical image file; circuitry operable for receiving an event corresponding to said event parameter; and circuitry operable for displaying rendering information for a graphical image in said graphical image file corresponding to said value of said event parameter in response to said event in said receiving step and wherein said rendering information comprises differential image information, wherein said processor further comprises: circuitry operable for initially displaying a first graphical image of said plurality of graphical images, wherein said circuitry operable for displaying comprises displaying rendering information representing a second graphical image of said plurality of graphical images, said first and second graphical images generating a composite image. For example, Cook describes computer system of Figure 2B as a computer system that contains storage, or memory, unit 256 and processing unit 252. The



processor 252 is coupled to the memory 256 and uses the memory unit to access a graphical image that corresponds to the request of the client side event column 6 lines 46-53. The system Cook describes is capable of receiving a client side event that has a corresponding event parameter associated with a particular graphical image file column 10 lines 35-40. In this case the event is a user clicking the mouse button or moving the mouse cursor to a certain location on the webpage and the event parameter is the position of the mouse cursor when the user interacts with an object on the page. The rendering information is the change in the display that occurs as a result of the specific location of the mouse click. Figure 1A illustrates the system displaying a first graphical image and Figure 1B illustrates the composite image that results from the user clicking on various objects contained within the original display. As an example, the rendered images that were added to the image in Figure 1A are object 110, object 114, and the lines around objects 104 and 106.

With regard to claims 6, 14, and 22, Cook includes a method, computer program product, and system wherein the event in the circuitry operable for receiving is received from an event handler for a type of said event. For example, Cook describes an event processor, which can be considered an event handler, that is configured to process events as they occur and adjust the states of objects according to the events column 3 lines 34-38.

Concerning claim 25, Cook describes a method comprising the steps of: providing graphical image information including control information and rendering information, said control information for controlling a display of said rendering

information, wherein said control information comprises an image identifier value; receiving an event identifier value in response to a client initiated action; and displaying said rendering information in response to said event identifier value matching said image identifier value in said control information, wherein said rendering information includes at least one graphical image comprising differential image information for generating a composite image, said graphical image information including control information and corresponding rendering information representing a plurality of graphical images and wherein said method further comprises initially displaying a first graphical image of said plurality of graphical images, and wherein said rendering information in said displaying step comprises rendering information representing a second graphical image of said plurality of graphical images, said first and second graphical images generating said composite image. For example, Cook describes storage unit 256 and processing unit 252 of Figure 2B as providing graphical information including control information and rendering information. Once the applet application controlled by processing unit 252 has determined all the objects that contain the cursor position of a received event the application performs all actions that correspond to the event, this mainly entails state changes of many of the objects column 10 lines 50-55. Processing unit 252 gathers graphical image information from storage unit 256 and provides this information to be displayed on monitor 254, which mainly entails presenting rendering information that appears visually as one or more objects changing from one state to another. The remainder of claim 25 is addressed in

the rejections of claims 1, 2, and 3. See the corresponding paragraphs above for the rejection of the remaining subject matter.

As to claim 27, Cook discloses a system comprising: a memory unit operable for storing a computer program operable for generating pages; and a processor coupled to said memory unit, wherein said processor, responsive to said computer program, comprises: circuitry operable for generating said page for transmission to a client via a network, said page including a graphical control element, said graphical control element being responsive to user input, wherein said graphical control element comprises graphical image information, said graphical image information including control extension information and rendering information, said control extension information for controlling a display of said rendering information; wherein said control extension information includes an image identifier value, said image identifier value for associating said user input with a display of rendering information; and wherein said rendering information includes at least one graphical image comprising differential image information for generating a composite image representing a selected state of said control element. For example, Cook offers Figure 2B as a computer system that includes processing unit 252 and storage, or memory, unit 256, where processor 252 is coupled to memory unit 256. Storage unit 256 stores various modules 204 including the Web page authoring module 208 column 6 lines 47-53. Cook describes that the computer system can be connected to the Internet, where the computer acts as a server and supplies web pages to clients such as computer 270. In other embodiments, using portable web devices, Java may run on an intermediate server; the client program is

only required to display the preprocessed page, rather than assume all the processing responsibilities column 7 lines 5-21.

Regarding claim 32, Cook describes a computer program product wherein the control information further includes a disposal value operable for controlling a disposal method of displaying rendering information. For example, Cook describes organizing the objects that may be rendered on the screen into groups, stacks, and switches. A group of objects is described as a group of objects that are all displayed or hidden together, a stack is a group of objects that is displayed one at a time, and a switch is a group of objects which are organized so that only one of the objects is in a given state at a time column 5 lines 59-67. In this example the disposal value is the identifier that is associated with a currently displayed object when another object from the same stack or switch is selected to replace it. The object is disposed of because it is removed from the display to allow another object to be displayed in the same location.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7, 8, 15, 16, 23, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cook.

As to claims 7, 8, 15, 16, 23, and 24, Cook describes a method, computer program product, and system wherein the graphical image file comprises a plurality of

graphical images, wherein the circuitry operable for displaying rendering information comprises: circuitry operable for sequentially bypassing a set of graphical images in said plurality of graphical images while a value does not equal the event parameter value, wherein if the value equals the event parameter value then the processor further comprises: circuitry operable for displaying rendering information of a current graphical image in sequence in said plurality of graphical images. For example, Cook describes a user input event of a mouse click on a web page at a certain position on the screen.

The position of the cursor when the mouse click occurs is used as a value to decide which objects on the screen may require updating. As the software program searches through all the objects on the screen it will sequentially bypass sets of graphical images associated with objects that don't have an image to be displayed associated with the position of the cursor when the mouse was clicked. When the program find objects that have images to be displayed that match the position of the cursor when the mouse was clicked then these images are rendered on the screen column 10 lines 35-65. Cook further describes that some of the groups of images are organized into switches, where only one of the objects in the switch can be displayed based on the state of the incoming value and the corresponding case in the switch statement column 5 lines 59-67.

Cook doesn't describe using a count value to sequentially bypass sets of graphical images when the count value does not equal the event parameter value, nor does he describe sequentially incrementing the count value for each sequential bypass of images and initializing the count value before searching through each set of images.

However, based on Cook's description of searching through sets of graphical images and comparing information for each set of graphical images to a mouse cursor position value, and Cook's description of using a switch statement, which is a well-known JavaScript function that compares a set of values to an incoming value and takes a particular course of action when the incoming value matches a specific case in the set of values, it would have been obvious to one of ordinary skill in the art at the time of the invention to implement a counter, which is also well-known in the art, as a means to search through sets of images until the incrementing counter matches the value that corresponds to the user defined event. Using a counter and comparator arrangement to decide which images to ignore and which images to display is functionally identical to using the coordinates of the mouse click to search through a set of images to find the images that correspond to the particular coordinates of the click. Further, the counter/comparator method described is analogous in functionality to JavaScript's switch statement; therefore incrementing a counter while iterating through sets of images until the counter value matches the image event value is simply an obvious modification.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Volk (US 5,673,401 and US 5,687,331), Gennaro (US 5,742,768), and Chauvin (US 5,742,768) all describe creating a composite image consisting of independently rendered graphical objects.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dan Washburn whose telephone number is (571) 272-5551. The examiner can normally be reached on Monday through Friday 8:30 a.m. to 5:00 p.m..


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached on (571) 272-7664. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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9/28/05

  
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